

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF INDIANA  
SOUTH BEND DIVISION

IN THE MATTER OF:

REGINA KAY MARKER  
Debtor

CASE NUMBER: 18-32247  
CHAPTER 13

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TRUSTEE'S MOTION FOR ORDER

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COMES NOW, Debra L. Miller, Trustee, and for her Motion, states:

1. On February 29, 2012, Debtor filed Chapter 13 Bankruptcy Case Number 12-30546. Debtor failed to file, and/or provide schedules, Statement of Finance Affairs, Summary of Assets and Liabilities, tax returns, bank statements, pay stubs, Domestic Support Obligation form, or a Plan, and the 341 Meeting of Creditors was not able to be held, and the case was dismissed on April 5, 2012.
2. On September 27, 2016, Debtor filed Chapter 13 Bankruptcy Case Number 16-32117.
3. Debtor failed to provide required documents and to make any Plan payments for which Trustee filed Motion to Dismiss.
4. Debtor's subsequent Motion to Dismiss for inability to make feasible Plan payments, as well as no standing regarding the mortgage or interest in the residential property, was granted by the Court on December 16, 2016.
5. Debtor filed a Chapter 7 Bankruptcy Case Number 17-30847 on April 26, 2017 and was granted a discharge on July 31, 2017.
6. On November 28, 2017 Debtor filed Chapter 13 Case Number 17-32309.


7. Trustee filed Motion to Dismiss on December 18, 2017 as Debtor failed to file required documents and a Plan.
8. Debtor filed a subsequent Motion to Dismiss and on December 22, 2018, the Court granted Debtor's Motion.
9. On April 24, 2018 Debtor filed Chapter 13 Case Number 18-30705. Debtor's Plan payment in the amount of \$650.00 commenced May 24, 2018. The Debtor made no Plan payments and the case was dismissed on September 14, 2018, with a delinquency of \$2,600.00.
10. On December 18, 2018, Debtor filed this Chapter 13 Bankruptcy Case Number 18-32247.
11. The §341 Meeting of Creditors is scheduled to be held on January 30, 2019. Pursuant to Bankruptcy Rule 4002. Debtor is required to provide the following documents:
  - a. Evidence of current income for each member of the household in the form of most recent pay advices;
  - b. Bank statements from all financial accounts which include the filing date of December 18, 2018;
  - c. The two most recent years of filed tax returns;
12. Trustee additionally requests:
  - a. Proof of income from the six months prior to the date of filing (June 1- November 30, 2018) in the form of pay advices;
  - b. Tax Affidavit Certification;
  - c. Domestic Support Obligation Certification.

13. Trustee requests Debtor provide the requested documents no later than January 23, 2019 in order for her office to review the information and adequately prepare for the §341 Meeting of Creditors.

14. Pursuant to 11 U.S.C. §1326(a)(1), Debtor must commence making Plan payments no later than January 17, 2019. Trustee requests that Debtor be required to enter into a wage order to ensure Plan Payments are made timely and in the complete amount due to Debtor's prior failed cases.

WHEREFORE, Standing Chapter 13 Trustee Debra L. Miller requests that the Court ORDER: (1) That Debtor is to provide all documents requested by Trustee, and all required §341 Meeting of Creditors documentation, to Trustee no later than January 23, 2019, (2) that Debtor is to commence making full Plan payments no later than January 17, 2019, (3) and that Debtor file a Wage Order no later than January 10, 2019.

Dated: December 27, 2018

Respectfully Submitted,  
  
/s/ Debra L. Miller  
Debra L. Miller, Trustee  
P.O. Box 11550  
South Bend, IN 46624-0956  
(574) 254-1313

#### **CERTIFICATE OF SERVICE**

I hereby certify that a copy of this Motion was served as follows on:

December 27, 2018

By U.S. Mail postage prepaid:

Debtor: Regina Kay Marker, 28203 Pennsylvania Avenue, Elkhart, IN 46516  
Debtor's Attorney: Thomas F. Godfrey, III, Esq.

By electronic mail via CM/ECF:  
U.S. Trustee: [ustregion10.so.efc@usdoj.gov](mailto:ustregion10.so.efc@usdoj.gov)

/s/ Harriette M. King  
Harriette M. King